

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ARTHUR L. MOORE

PLAINTIFF

v.

Civil No.06-2160

PAUL SMITH, Detective, Fort
Smith Police Department; JAMES
MARSCHEWSKI, Judge, Sebastian
County Circuit Court; STEPHEN
TABOR, Prosecuting Attorney, Sebastian
County, Arkansas; and JOHN JOPLIN,
Public Defender's Office

DEFENDANT

O R D E R

Now on this 27th day of November, 2006, comes on for
consideration the **Magistrate Judge's Report and Recommendation**
(document #4, filed October 27, 2006), in this matter, to which
no objections have been filed, and the Court, having carefully
reviewed said Report and Recommendation, finds that it is sound
in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report
and Recommendation is adopted in toto.**

IT IS FURTHER ORDERED that, for the reasons stated in the
Magistrate Judge's Report and Recommendation, plaintiff's case
is hereby **dismissed**.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE